



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

CONTOOCCOOK VALLEY SCHOOL DISTRICT

Complainant

v.

CONTOOCCOOK VALLEY EDUCATION
ASSOCIATION/NEA-NEW HAMPSHIRE

Respondent

CASE NO. T-0275:6

DECISION NO. 90-77

APPEARANCES

Representing Contoocook Valley School District:

George Dickson, Esq., Counsel

Representing Contoocook Valley Education Association/NEA-NH:

Marc Benson, UniServ Director NEA

Also appearing:

Larry Bramblett, Superintendent
Keith R. Burke, School District
Muriel Henault, School District
Warren Geier, C.V.E.A.
Greg Scerbinski, C.V.E.A.
Mary E. Allen, Keene Sentinel
Hampton Howard

BACKGROUND

On May 17, 1990 the Contoocook Valley School District (Con-Val) petitioned PELRB for a declaratory ruling, pursuant to the PELRB rule Pub 103.01, on whether the District is entitled to renegotiate a collective bargaining agreement with the Con-Val Education Association pursuant to 273-A:3, II (b) when; (1) the cost items of the negotiated collective bargaining agreement was presented to the District meeting as part of the general appropriation warrant article, and (2) when the District meeting reduced said general appropriation article by \$657,914.

The Con-Val Education Association/NEA-NH (Association) by its representative Marc Benson objected and requested PELRB dismiss the petition and order the District to be bound by the agreement signed on February 6, 1990.

Hearing on this matter was held on June 14, 1990 in the PELRB office in Concord, New Hampshire.

FINDINGS OF FACT

The parties presented both oral and written testimony. PELRB makes the following findings in this case:

1. Article 2 paragraph 2-1-1 states as follows:

"...not be binding upon the Board, unless, and until, the necessary appropriations have been made by the voters..."

2. This case is now considered MOOT based on the N.H. Supreme Court decision in the Sanborn Case and PELRB decision No. 90-72 in the Franklin case.

ORDER

The parties are ORDERED to negotiate the issues in accordance with the above cited Article 2 Par. 2-1-1 of the collective bargaining agreement.

Signed this 23rd day of August, 1990.


EDWARD J. HASELTINE
Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding. Members Seymour Osman and E. Vincent Hall present and voting. Also present, Executive Director, Evelyn C. LeBrun.